

## Department of Planning and Budget 2004 Fiscal Impact Statement

**1. Bill Number** HB37

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron** Putney

**3. Committee** Privileges and Elections

**4. Title** Constitutional amendment; succession to office of Governor.

**5. Summary/Purpose:**

Provides for a referendum at the November 2004 election on approval of an amendment to revise provisions concerning succession to the office of Governor. The amendment expands the list of successors to the office of Governor that presently includes the Lieutenant Governor, Attorney General, and Speaker of the House of Delegates, in case of an emergency or enemy attack that prevents the House of Delegates from meeting to elect a governor. The additional successors would include successor speakers, the President pro tempore of the Senate, and the majority leader of the Senate. The successor would be Acting Governor until the House of Delegates convened to elect a Governor. The amendment also includes authority for the General Assembly, bylaw, to provide for a waiver of certain eligibility requirements for the Attorney General and Speaker to succeed to the office of Governor in the event of an emergency or enemy attack upon the soil of Virginia.

**6. Fiscal Impact Estimates are:**

**6a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2003-04	--	--	--
2004-05	\$200,000	--	GF
2005-06	--	--	--
2006-07	--	--	--
2007-08	--	--	--
2008-09	--	--	--
2009-10	--	--	--

\* Note that costs will be higher if other constitutional amendments passed by the 2003 General Assembly are approved for the November 2004 ballot.

**7. Budget amendment necessary:** Yes, to item 94 of SB/HB30 for \$200,000 (GF).

**8. Fiscal implications:** Whenever questions are to be submitted to voters in a statewide referendum, sections 30-19.9 and 30-19.10 of the Code require that the State Board of Elections (1) publish prior to the referendum a paid notice of explanation in major daily newspapers across the state, (2) publish a brochure or booklet explaining the referendum in

sufficient number to provide a copy to any interested person, and (3) post an explanation at each polling place on the day of the election.

Based on the experience of constitutional amendments on the ballot in 2002, the newspaper advertising for one statewide ballot issue would cost about \$100,000. Cost to publish the required brochures and posters for one ballot issue is estimated at \$100,000.

The publication estimate assumes printing 400,000 brochures, enough for the 134 registration offices in the state to distribute to 10 percent of the approximately 4.0 million registered voters in Virginia. Brochures are assumed to be printed two sides on 8 1/2 by 11 paper. Printing costs for the poster assume publication of 2,270 copies of a poster sized 11 by 17 inches, enough for each of the 2,264 polling places in the state.)

Note that, two other proposed Constitutional amendments were passed by the 2003 General Assembly, and should they also be approved by the 2004 General Assembly to be on the November 2004 ballot, costs would be higher. For each additional ballot question, newspaper advertising costs would increase by 20 percent. Printing costs would increase if the additional questions necessitated larger paper stock. (Total costs for four issues on the statewide ballot in 2002 amounted to \$300,000).

**9. Specific agency or political subdivisions affected:** State Board of Elections

**10. Technical amendment necessary:** No

**11. Other comments:** None

**Date:** 1/15/04 vrm

**Document:** g:\2004 legislation\other\hb37.doc VRM

cc: Secretary of Administration